

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at KNOXVILLE

FAITH A LOGSDON,

Plaintiff,

v.

RUSSELL DOCTEUR

Defendant.

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Case No. 3:19-cv-236

Judge Mattice

Magistrate Judge Guyton

ORDER

On July 3, 2019, United States Magistrate Judge H. Bruce Guyton filed a Report and Recommendation (Doc. 3) pursuant to 28 U.S.C. § 636 and the Rules of this Court. The Magistrate Judge found Plaintiff's Motion and Application to Proceed *In Forma Pauperis* (Doc. 1) to be well-taken, and directed the Clerk to file the Complaint (Doc. 2) in this case without prepayment of costs or fees. However, the Magistrate Judge further found Plaintiff's Complaint fails to allege any basis for federal jurisdiction, and he therefore recommends it be dismissed. Magistrate Judge Guyton advised Plaintiff that she had 14 days to object to the Report and Recommendation and that failure to do so would waive any right to appeal. (Doc. 3 at 5 n.3); *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) ("It does not appear that Congress intended to require district court review of a magistrate judge's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.").

Plaintiff has not filed an objection to the Report and Recommendation. According to the docket, the Report and Recommendation was mailed to Plaintiff at the address she provided, and returned undeliverable. (Doc. 4). The Local Rules of this Court provide that "[i]t is the duty of any party not represented by counsel to promptly notify the Clerk and

the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently.” E.D. Tenn. LR83.13. Two months have passed since Magistrate Judge Guyton issued his Report and Recommendation, and Plaintiff has not objected thereto or filed a Notice of Change of Address as required by the Local Rules.

Despite the lack of objection, the Court has reviewed the Report and Recommendation, as well as the record, and agrees with Magistrate Judge Guyton’s well-reasoned conclusions. The Court **ACCEPTS** and **ADOPTS** Magistrate Judge Guyton’s findings of fact and conclusions of law as set forth in the Report and Recommendation (Doc. 3). The Complaint (Doc. 2) is **DISMISSED** for lack of jurisdiction.

SO ORDERED this 4th day of September, 2019.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE